IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO.3601 OF 2005

Harilal Feku Gupta .. .. ..Petitioner

Versus

Ganesh Feku Gupta & Ors. .. ..Respondents

Mr.H.S.Thakkar for petitioner

Mr.L.K.Tripathi for respondent no.1

CORAM : P.V.KAKADE, J.

DATE : 21ST MARCH, 2006.

P.C.:

1. Heard the learned counsel for both the parties.

2. The impugned order is passed by Addl. Commissioner, Konkan Division dated 3rd January 2005, who is the Revisional Authority under the provisions of the Maharashtra Rent Control Act, 1999. The Petitioner filed

the revision before the said authority against the order passed by the Competent Authority, Konkan Division, Mumbai dated 17.6.2004 refusing to extend time for amendment of the pleadings in Case No.22 1999, which is filed under the Bombay Rent Act, 1947. The Revisional Authority under the Maharashtra Rent Control Act has dismissed the revision only with observation that he has no competent authority to decide the said revision as the suit is under the Bombay Rent Act. There is no doubt whatsoever that the Addl. Commissioner has no jurisdiction under the provisions of the Bombay Rent Act, and as such the impugned order cannot be found with in its false. Therefore, the petition is devoid of any merits and has to be dismissed and stands dismissed with no order as to costs.